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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,749	01/17/2002	Gang Huang	HUANG 13-12-6	2534

7590

09/14/2006

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EXAMINER

NGO, NGUYEN HOANG

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

sf

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/046,749</p>	<p>Applicant(s) HUANG ET AL.</p>	
	<p>Examiner Nguyen Ngo</p>	<p>Art Unit 2616</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


RICKY Q. NGO
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: 1. Applicant's arguments filed 8/28/2006 have been fully considered but they are not persuasive.

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a single receiver to service a plurality of station on a packet-by-packet basis, the plurality of station having different transmission characteristics that are determined through use of a table look-up in a station pre-training table) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It should be noted that nowhere in the claims those it state a plurality of transmitters, nor a single receiver to service a plurality of station IDs.

3. Applicant further submits the combination of Hartsen, Okamoto, and Nee fail to disclose the limitation of providing auxiliary coding comprising a station ID parameter of a transmitting home network device to said receiver. It should be noted that Hartsen discloses transmitting a signal over multiple paths (page 3 [0033] and figure 1). It is thus well known in the art of incorporating a source address in a header/auxiliary header to ensure proper transmission from transmitter to receiver, as stated in the claim. Thus the Examiner relies on Okamoto to teach the well-known concept of incorporating such a source address to identify the transmitting home network device and to ensure proper transmission. The Examiner does not rely on Okamoto to disclose a station ID parameter, which is used to determine which address formats to convert between from a first and second network, as mentioned by Applicant. The Examiner simply uses Okamoto to teach the well-known concept of transmitting a source address identifying the transmitted source. It would have thus been obvious to incorporate a source address along with the auxiliary information (flag used to determine training value) in order to ensure proper transmission.

4. Applicant further submits that the combination of Hartsen, Okamoto, and Nee fail to disclose using the auxiliary coding to perform a table look-up in a station pre-training table to determine one or more training value. As stated in the discussion of claim 1, Hartsen discloses that the reference training sequence is retrieved from memory in the receiver (page 4 [0044]). The Examiner thus correlates memory to correlate to a pre-training table to determine training values, and further relies on Nee to clarify that training tables are stored in memory. The Examiner does not rely on Nee to show that pre-calculated and stored training codes are stored in a transmitter, but to show that pre-calculated and stored training codes are stored in memory, which Hartsen discloses to be in a receiver (page 4 [0044]).